Sen. Roger Sherman, Chair
Sen. Thomas Martin Jr.
Sen. John Patrick
Rep. Joyce Maker, Chair
Rep. Bernard Ayotte
Rep. Margaret Rotundo

Heather Parent
Stephen Cole
Michael Herz
Michael Hiltz
Connie Jones

Wade Merritt
John Palmer
Linda Pistner
Harry Ricker
Michael Roland
Jay Wadleigh
Joseph Woodbury

Staff:
Lock Kiermaier

STATE OF MAINE

Citizen Trade Policy Commission

August1, 2012

The Honorable Ronald Kirk
Trade Ambassador
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Ms. Jean Grier
Senior Procurement Negotiator
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Re: 2012 Trade Policy Assessment; commissioned by the Maine Citizen Trade Policy
Commission

Dear Ambassador Kirk and Ms. Grier:

As you may know, the Citizen Trade Policy Commission (CTPC) is required by current Maine
Law (10 MRSA Chapter 1-A) to provide an ongoing state-level mechanism to assess the impact
of international trade policies and agreements on Maine's state and local laws, business
environment and working conditions. An important part of the CTPC mandate is to conduct a
biennial assessment on the impacts of international trade agreements on Maine.

We have enclosed a copy of our recently completed 2012 Trade Policy Assessment. In a process
that is more fully described in an addendum included within the printed document, the Citizen
Trade Policy Commission contracted with Professor Robert Stumberg of Georgetown University
to conduct this assessment.

We believe that the 2012 Trade Policy Assessment is an invaluable tool for a more complete
understanding of both the proposed TransPacific Partnership Agreement (TPPA) which is
currently being negotiated and other international trade treaties and their current and potential
effects on Maine. As a specific result of the 2012 Trade Policy Assessment, the CTPC has voted
unanimously to make a number of recommendations regarding the potential treatment of
procurement within the TPPA and other international trade agreements:

- We favor an approach represented by procurement provisions in other previously negotiated trade agreements such as the World Trade Organization's Agreement on Government Procurement which allow state governors to decide whether to be subject to the procurement chapters of different Free Trade Agreements that have been negotiated between the U.S. and individual nations. The CTPC strongly believes that it is essential to a state's sovereignty to be able to decide whether to be subject to certain procurement provisions;
- The CTPC also is unanimous in our support for the inclusion of provisions in the TPPA and other trade agreements which allow for laws and regulations which permit "Buy America" procurement requirements and
- Finally, the CTPC requests that the USTR develop a clear public statement on the specific elements of a procurement-related provision, as they are proposed by the USTR for consideration as a part of the TPPA.

In making these and other recommendations, members of the CTPC expressed a clear desire to further discuss these subjects in detail with either of you in the context of a public meeting held by the CTPC. We invite you to appear at such a public meeting at a date that is mutually satisfactory and as an alternative to you traveling to Maine, we suggest that a conference call could be arranged on a date to be determined in the near future.

On behalf of the CTPC, we thank you for your attention to the issues we have raised regarding any procurement-related provisions to be included in the TPPA and other international trade agreements and we look forward to discussing these issues with you in more detail.

Sincerely,

Roger Sherman

Senator Roger Sherman, Chair

Joyce Maker

Representative Joyce Maker, Chair

c: Governor Paul LePage
    Senator Olympia Snowe
    Senator Susan Collins
    Representative Michael Michaud
    Representative Chellie Pingree
    Maine State Representative Sharon Treat, member of Intergovernmental Policy Advisory Committee